

Department of Permitting and Inspections

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MEMORANDUM

To: The Design Advisory Board
From: Ryan Morrison, Associate Planner
RE: ZP21-0641CA; 2-14 King Street
Date: February 9, 2021

File: ZP21-0641CA

Location: 2-14 King Street

Zone: DW-PT **Ward:** 3C/5S

Parking District: Multi Modal Mixed-Use

Date application accepted: January 25, 2021

Applicant/ Owner: Spot on the Dock / Lake Champlain Transportation Co.

Request: Renovation to existing building to demo bathrooms to increase outdoor bar area within the existing footprint and add interior partitions to create new office and storage room. Construct new bathroom building with stairs and access ramp.

Background Information:

The applicant proposes to renovate the existing Spot on the Dock restaurant building to demolish bathrooms to increase the outdoor bar area within the existing footprint and add interior partitions to create new office and storage rooms. A detached bathroom building with exterior stairs and access ramp will be constructed in front of the restaurant building.

The property sits within the Special Flood Hazard Area. This location triggers review under the SFHA criteria of Sec. 4.5.4. The project plans have been provided to the state floodplain coordinator for review and comment. The finished floor of the new restroom building is proposed to be 2 feet above the 102' base flood elevation.

Previous zoning actions for this property:

- 10/6/20, Approval for a new building and deck to replace prior structure
- 5/19/20, Approval for the construction of a shed to house a commercial ice machine.
- 8/6/19, Approval for site modifications to accommodate vehicular and pedestrian flow for the ferry basin.
- 12/4/18, Approval to relocate 2 loading ramps.
- 11/7/18, Approval for after the fact paving of gravel areas
- 10/5/17, Approval for replacement fuel tank and islands for dispensers
- 5/23/17, Approval for renovations to restaurant
- 3/7/16, Approval for replacement ticket booth
- 4/27/12, Approval for Lake Monsters Team Headquarters sign
- 6/10/11, Non-app issued for post-flood damage repairs

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- 11/30/09, Approval for trussed gable roof
- 2/19/08, Approval for conversion of retail to office space
- 2/17/05, Approval for roof renovations
- 4/13/04, Approval to install ticket window
- 5/27/03, Approval for sur pac and parking lot lighting installation
- 2/21/03, Approval to replace existing restaurant building with larger restaurant building (not acted upon)
- 2/22/01, Approval for Maritime Museum sign
- 2/22/01, Approval to change use to museum
- 8/18/00, Approval to install an interpretative marker
- 5/1/00, Approval to change portion of retail space to creemee stand
- 6/3/99, Approval to amend prior approval for 5 finger docks with marine gas float
- 2/18/99, Approval to install 5 finger docks
- 10/10/95, Approval to install vertical metal siding on maintenance shed
- 10/29/93, Approval for construction of a 20' X 20' storage structure
- 4/9/92, Approval to construct HC accessible bathroom with ramp
- 5/9/91, Approval to construct new structure containing freezer and refrigeration units

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

The site contains no significant natural areas as identified in the Open Space Protection Plan. While the site is along the Lake Champlain waterfront, it (and the rest of the downtown waterfront) is not included in the Riparian and Littoral Conservation Zone.

(b) Topographical Alterations:

The finished elevation of the new restroom structure will be at 104' above sea level – above the 102' base flood elevation. That said, the site is basically flat and will remain so.

(c) Protection of Important Public Views:

There are significant public views from the project site across the lake and towards the Adirondacks. The replacement of the restroom building in front of the existing restaurant will not adversely impact these views.

(d) Protection of Important Cultural Resources:

The project site is located on fill soils. The site has no archaeological significance.

(e) Supporting the Use of Renewable Energy Resources:

No part of the application will preclude the use of wind, water, solar, geothermal or other renewable energy resource.

(f) Brownfield Sites:

The site is included on the Vermont DEC Hazardous Site List. Gasoline associated with an underground storage tank was the source of contamination. It appears that remediation activities have been completed.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

While the new restroom building will be placed on existing hard surface, the applicant will be required to submit an Erosion Prevention and Sediment Control plan and a stormwater plan to the Stormwater Program Manager for review and approval.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

The expanded, open-air outdoor bar area will be sheltered from inclement weather. The restroom building will have a covered entrance as well. The site provides various snow storage areas that will not impede pedestrian or vehicular circulation.

(h) Building Location and Orientation:

The large property (257,332 sf in area) is developed with various buildings and the Lake Champlain Ferry docks. The proposed restroom building is set back a considerable distance from the nearest public street, so it will not negatively affect the streetscape. Placed in front of the primary restaurant structure, and just to the side of the restaurant's front door, it should not detract from an identifiable pedestrian entrance, even considering one has to be well into the property to see this entrance.

(i) Vehicular Access:

No change to existing vehicular access is proposed. With the exception of ferry traffic, public vehicular circulation within the property is setback significantly from the new development.

(j) Pedestrian Access:

No changes to existing pedestrian access to the restaurant are proposed. A new walkway on the east side of the restroom building, between the existing front walkway to the restaurant and the existing walkway along the south side of the restaurant building, will be constructed. The new restroom building will have stair and ramp access.

(k) Accessibility for the Handicapped:

The building inspector has jurisdiction over ADA requirements. The plans include a handicap ramp to access the new restroom building.

(l) Parking and Circulation:

No changes to the existing parking and circulation are proposed, nor needed.

(m) Landscaping and Fences

The proposal includes planting three shrubs in the existing yard space in front of the new restroom building (east). A new stockade fence will be constructed along a portion of the new path in front of the restroom building, to prevent pedestrians from accessing a small area between buildings.

(n) Public Plazas and Open Space:

The site already offers open space in the form of lakefront walkways and green space. No changes are proposed.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

The elevation plans show two wall-mounted light fixtures on the north wall of the new restroom building that will provide illumination for pedestrian access. Recessed light fixtures will be installed into the ceiling for the outdoor bar area.

(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

The plans indicate electrical service at the rear of the new restroom building, out of view from pedestrian walkways. No other new utilities or above ground infrastructure is proposed. If so, the plans will need to be revised to show locations and specs.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

While the new restroom building will be located foremost as part of the restaurant use, the applicant has made an effort to ease any monotony that may be created. The elevation plans

show the new restroom building at a height taller than the existing restaurant building. However, the front façade (east), will be broken up with two different siding types, a new sign for Spot on the Dock, and windows, all in an effort to provide relief from what could be a monotonous façade. Given that this development is located deep within a highly developed property, impacts to nearby public streets and other development will be negligible.

2. Roofs and Rooflines.

The roofline over the existing restaurant bathrooms will remain unchanged after that area is converted to additional outdoor bar area. The new restroom structure will have two inward sloped roofs – one over the men’s restroom and one over the women’s restrooms. Given existing development on the property, this roof type will not create an anomaly.

3. Building Openings

The new restroom structure will have three windows on both ends (west and east façades), and a covered pedestrian entrance on the north side. Since this is a restroom, having many openings is undesirable. However, in an effort to create a more attractive front wall (east façade), the applicant proposes the windows, a new sign, and two different types of siding. Aside from the three windows on both ends and the pedestrian access, no other openings are proposed.

(b) Protection of Important Architectural Resources:

See Sec. 6.2.2 (d) above.

(c) Protection of Important Public Views:

See Sec. 6.2.2 (c) above.

(d) Provide an active and inviting street edge:

Building facades shall be varied along the street edge by the integration of architectural features, building materials, or physical step-backs of the façade along its length. ..This may be accomplished by incorporating fenestration patterns, bays, horizontal and vertical façade articulations, the rhythm of openings and prominent architectural features such as porches, patios, bays, articulated bases, stepping back an elevation relative to surrounding structures, and other street level details. The use of traditional façade components such as parapet caps, cornices, storefronts, awnings, canopies, transoms, kick plates, and recessed entries are highly encouraged. In areas where high volumes of pedestrian traffic are desired, the use of architectural recesses and articulations at the street level are particularly important in order to facilitate the flow of pedestrian traffic.

The proposed building is set relatively far back from the street, deep into the lot. It has no street edge. The restroom building does provide a city-facing eastern façade which, as noted above, provides various aspects that present a more attractive front.

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major

streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

The proposal calls for wood clapboard siding on the majority of the restroom building, with vertical corrugated metal siding on the higher portions. The access ramp will be concrete. Specifics on the windows have not been provided, however, since this is a new construction, any commercial grade windows will more than likely be acceptable.

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

(g) Make advertising features complementary to the site:

Any signs will require separate permitting.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit.

The restroom entrance is clearly visible and will be illuminated. The new construction shall conform to all building and life safety code as defined by the building inspector and the fire marshal.

Recommended Motion:

Determine if the new restroom building is acceptable to the requirements of Article 6, and if so, recommend approval and forward to the Development Review Board as presented.